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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

J1054 U

Attorney Docket No.	1763.0140000
First Inventor	Jose K. Raphael
Title	<i>System, Method and Computer Program Product to Maximize Server Throughput While Avoiding Server Overload By Controlling the Rate of Establishing Server-Side Network Connections</i>
Express Mail Label No.	

APPLICATION ELEMENTS

APPLICATION ELEMENTS
See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. <input type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing)	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)	
2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)	
3. <input checked="" type="checkbox"/> Specification [Total Pages <u>26</u>] (preferred arrangement set forth below)	a. <input type="checkbox"/> Computer Readable Form (CRF)	
- Descriptive title of the Invention	b. Specification Sequence Listing on:	
- Cross Reference to Related Applications	i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or	
- Statement Regarding Fed sponsored R & D	ii. <input type="checkbox"/> paper	
- Reference to sequence listing, a table, or a computer program listing appendix	c. <input type="checkbox"/> Statements verifying identity of above copies	
- Background of the Invention	ACCOMPANYING APPLICATION PARTS	
- Brief Summary of the Invention	<hr/>	
- Brief Description of the Drawings (if filed)	9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))	
- Detailed Description	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee)	
- Claim(s)	11. <input type="checkbox"/> English Translation Document (if applicable)	
- Abstract of the Disclosure	12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations	
<input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>10</u>]	13. <input type="checkbox"/> Preliminary Amendment	
Oath or Declaration [Total Pages <u>1</u>]	14. <input checked="" type="checkbox"/> Two Return Receipt Postcards (MPEP 503) (Should be specifically itemized)	
a. <input type="checkbox"/> Newly executed (original or copy)	15. <input type="checkbox"/> Certified Copy of Priority Document(s) (If foreign priority is claimed)	
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)	16. <input type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach any required documentation.	
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).		
<input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76.		

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ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement *(when there is an assignee)* Power of Attorney
11. English Translation Document *(if applicable)*
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Two Return Receipt Postcards (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Authorization under 37 C.F.R. § 1.136(a)(3)
 Other: The name of the assignee is:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

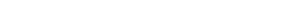
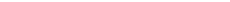
Continuation Divisional Continuation-in-Part (CIP) of prior application No: /

Continuation Divisional Continuation-in-Part (CIP) or prior application No. _____

Prior application information: Examiner Group Art Unit:
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

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07/26/01
J1054 U.S. PTO

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*LIMITED TO MATTERS
AND PROCEEDINGS BEFORE
FEDERAL COURTS & AGENCIES
**REGISTERED PATENT AGENT
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July 26, 2001

WRITER'S DIRECT NUMBER:

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Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)
Appl. No. (to be assigned); Filed: (herewith) July 26, 2001
For: **System, Method and Computer Program Product to Maximize Server
Throughput While Avoiding Server Overload by Controlling the Rate
of Establishing Server-Side Network Connections**
Inventors: Raphel *et al.*
Our Ref: 1763.0140000

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.
Patent and Trademark Office:

1. USPTO Utility Patent Application Transmittal Form PTO/SB/05;
2. U.S. Utility Patent Application entitled:

**System, Method and Computer Program Product to Maximize Server
Throughput While Avoiding Server Overload by Controlling the Rate of
Establishing Server-Side Network Connections**

and naming as inventors:

Jose K. Raphel
Kailash Kailash
Michel K. Susai

Commissioner for Patents
July 26, 2001
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the application comprising:

- a. specification containing a total of 26 pages:
 - i. 22 pages of description prior to the claims;
 - ii. 3 pages of claims (13 claims);
 - iii. a one (1) page abstract;
- b. 10 sheets of drawings: (Figures 1-2, 3A, 3B, 4-9); and
- c. an Application Data Sheet (37 C.F.R. § 1.76).

3. 37 C.F.R. § 1.136(a)(3) Authorization to Treat a Reply As Incorporating An Extension of Time (*in duplicate*); and
4. Two (2) return postcards.

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It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible.

This patent application is being submitted under 37 C.F.R. § 1.53(b) without Declaration and without filing fee.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Molly A. McCall
Attorney for Applicants
Registration No. 46,126

RES/MAM/tc
Enclosures